

MACOMB TOWNSHIP ZONING BOARD OF APPEALS
MINUTES OF A REGULAR MEETING HELD ON
JULY 13, 2004

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD, MACOMB, MI 48042

PRESENT: MEMBERS: EDWARD GALLAGHER
TONY POPOVSKI
DAWN SLOSSON

ABSENT: CHAIRMAN, BRIAN FLORENCE
MEMBER, VICTORIA SELVA

ALSO PRESENT: JEROME R. SCHMEISER, PLANNING CONSULTANT
COLLEEN O'CONNOR, TOWNSHIP ATTORNEY
(Additional attendance record on file with Clerk)

MOTION by SLOSSON seconded by POPOVSKI to appoint Member GALLAGHER as Chairman.

MOTION carried.

Call Meeting to Order.

Chairman GALLAGHER called the meeting to order at 7:03 P.M.

1. Roll Call.

Secretary SLOSSON called the Roll Call. Members Florence and Selva were absent.

2. PLEDGE OF ALLEGIANCE.

3. Approval of Agenda Items. *(with any corrections)*
Note: All fees have been received and all property notices were notified by mail

MOTION by POPOVSKI seconded by SLOSSON to approve the agenda as presented.

MOTION carried.

4. Approval of the previous meeting minutes:
A. Regular Meeting Minutes of May 11, 2004
B. Special Meeting Minutes of June 8, 2004

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MOTION by POPOVSKI seconded by SLOSSON to approve the meeting minutes of May 11, 2004 as presented.

MOTION carried.

MOTION by POPOVSKI seconded by SLOSSON to approve the meeting minutes of June 8, 2004 as presented.

MOTION carried.

PURPOSE OF HEARING:

To consider the requests for variance(s) of Zoning Ordinance No. 10 for the following:

Agenda Number/Petitioner/ Permanent Parcel No.	Zoning Ordinance Section No.
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5. Martha Sardelli Permanent Parcel No. 08-17-426-002	Section 10.0504A
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5. VARIANCE FROM THE PROVISION OF THE ZONING ORDINANCE;
Permission to vary section: 10.0504A, Request to reduce minimum lot width from 100 feet to 0 feet.
Located on the east side of Romeo Plank Road, approx. 1/4 mile north of 23 Mile Road; 51840 Romeo Plank Road; Section 17; Martha Sardelli, Petitioner.
Permanent Parcel No. 08-17-426-002

Chairman GALLAGHER read the findings and recommendations of July 9, 2004. They are as follows:

On May 11, 2004 the Board of Appeals considered this matter and voted to table this matter at the request of the petitioner.

The Township has not yet heard from the petitioner providing any additional information in this matter.

Per your request, we are herewith submitting our comments and recommendation relative to the above-captioned variance request.

The petitioner is requesting allowance to create the easterly portion of a parcel which fronts on Romeo Plank and traversed by the middle branch of the Clinton River without road frontage.

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The parcel with frontage on Romeo Plank will measure 100.12' x 603.32' which will exceed the 3 to 1 depth to width ratio and contain approximately 1.41 acres. The parcel to the east of the river will measure approximately 418.15' x 1050.69' and contains approximately 10.15 acres.

No reason is given for proposed sale of the 10.15 acres is noted, therefore, it would appear that the variance would be providing for a parcel with no public road frontage.

It is suggested at such time as the petitioner develops plans for the use of parcel B, that she re-petition for said split.

RECOMMENDATION:

It is recommended that the variance request be denied.

The following letter was submitted by the petitioner dated April 12, 2004.

“Without the variance requested I will be unable to sell the Parcel B. This parcel has no public road frontage. The adjoining property has frontage on 23 and/or 24 Mile Roads.”

Martha Sardelli, petitioner, was in attendance and indicated that there was a person who was interested in purchasing the property in question. Further, that the proposed Parcel B would have frontage since the person who is interested in the property also owns property with frontage on 23 Mile which ties into the proposed request.

Jerome R. Schmeiser, Planning Consultant, stated that if the split were to be granted the Township would be creating two illegal parcels. The first with no road frontage on 23 Mile Road and the second which exceeds the 3 to 1 requirement.

Chairman GALLAGHER stated the Township can not create nor is it in our jurisdiction to create the requested illegal parcels. He further noted the Township would need some type of assurance that they would not be left with a land locked parcel should the variance be granted.

Martha Sardelli stated that a Purchase Agreement has been prepared for the selling of proposed Parcel B.

Colleen O'Connor, Township Attorney, stated that unless a Purchase Agreement is executed it is not a binding document.

Chairman GALLAGHER suggested to the petitioner that an attorney be hired to draft the necessary paperwork which will put the wheels in motion.

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Martha Sardelli then requested that the matter be further tabled, indefinitely, to give her time to further review the matter.

MOTION by SLOSSON seconded by POPOVSKI to table indefinitely the variance request of Section 10.0504A, Request to reduce minimum lot width from 100 feet to 0 feet; Located on the east side of Romeo Plank Road, approx. 1/4 mile north of 23 Mile Road; 51840 Romeo Plank Road; Section 17; Martha Sardelli, Petitioner. Permanent Parcel No. 08-17-426-002.

MOTION carried.

6. OLD BUSINESS

None.

7. NEW BUSINESS

None.

8. PLANNING CONSULTANTS COMMENTS

None.

9. Motion to Receive and File all correspondence in connection with this agenda.

None.

ADJOURNMENT

MOTION by POPOVSKI seconded by SLOSSON to adjourn the meeting at 7:23 P.M.
MOTION carried.

Respectfully submitted,

Edward Gallagher, Chairman

Dawn Slosson, Secretary

Beckie Kavanagh, Recording Secretary
BK